

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Present Application:**

Applicants : Nicola Zatelli et al.  
Title : STRUCTURE AND METHOD FOR EVALUATING AN  
          INTEGRATED ELECTRONIC DEVICE  
Docket No. : 854063.496C1  
Date : May 21, 2001

**Prior Application:**

Examiner : Nathan Ha  
Art Unit : 2814  
Application No. : 09/209,049

Box Patent Application  
Commissioner for Patents  
Washington, DC 20231

**PRELIMINARY REMARKS**

Commissioner for Patents:

Please consider the above-identified application in view of the following remarks.

**REMARKS**

Claims 1-8 are pending.

In the parent case, the Examiner rejected several claims under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,010,914 to Shishiguchi in view of U.S. Patent No. 6,121,631 to Gardner et al. (“Gardner”).

Enclosed is a Rule 131 Declaration, signed by one of the inventors, stating that the invention was made prior to the filing date of Shishiguchi (October 28, 1997) and diligently

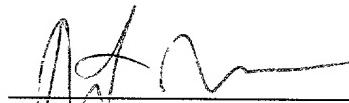
reduced to practice by filing an Italian patent application on December 10, 1997. Attached to the Declaration is an invention disclosure dated October 9, 1997, which includes a patent proposal from the inventor dated September 29, 1997 and several pages of notes dated between September 15-26, 1997. Also enclosed is an English translation of the invention disclosure pages that were originally written in Italian. The invention disclosure shows that the inventors were in possession of the invention prior to the effective date of Shishiguchi and an application was diligently prepared and filed by the patent agent of the assignee. Therefore, Shishiguchi is not prior art, and all claims are in condition for allowance.

The applicants respectfully submit that all pending claims are allowable. The applicants, therefore, respectfully request the Examiner to consider this application in light of these remarks and the enclosed Declaration. If there are any remaining issues to be resolved, the applicants request that the Examiner contact the undersigned attorney for a telephone interview

Respectfully submitted,

Nicola Zatelli et al.

Seed Intellectual Property Law Group PLLC



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Robert Iannucci  
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RI:kkh

Enclosures:

Rule 131 Declaration (w/enclosures)

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